

Remarks

Rejection of the claims under 35 USC §102:

Claims 1, 3-7, 10-15, 17, and 19-20 have been rejected under 35 U.S.C. 102(b) as being anticipated by Wolff et al. (WO200075164) ('164). Applicants respectfully disagree. '164 does not teach all the limitations of Applicants' claims. '164 teaches covalent attachment of a compound to a biologically active compound via a labile bond (reversibly modified biologically active compound). '164 also teaches covalent attachment of a compound to a polymer via a labile bond (reversibly modified compound). '164 however, does not teach covalent attachment of a biologically active compound to a reversibly modified polymer.

'164 teaches the conjugates **B-L-M**, and **C-L-M** wherein,

**B** = biologically active compound,

**C** = compound,

**L** = labile linkage, and

**M** = modifier.

In contrast, the instant application teaches and claims the conjugate **B-L-C-L-M** wherein

**B** = biologically active compound,

**C** = compound,

**L** = labile linkage, and

**M** = modifier.

'164 further specifically teaches away from covalent attachment of a nucleic acid to a polyamine and page 4 lines 1-2, page 7 lines 30-31, page 20 lines 9-11, page 33 lines 20-24, and page 34 lines 11-13.

In view of the arguments, Applicants request reconsideration or the 102 rejection.

Rejection of the claims under 35 USC §103:

Claims 1, 3-7, and 10-20 have been rejected under 35 U.S.C. 103(a) as being anticipated by Wolff et al. (WO200075164) in view of Mathiowitz et al. (US 6,248,720) and Haines et al. (US 6,479,464). It is the Applicants' opinion that the arguments made in response to the 102 rejection above are sufficient to overcome the 103 rejection. Applicants request reconsideration or the 103 rejection.

The Examiner's objections and rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1, 3-7, and 10-20 should be allowable.

Respectfully submitted,

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I hereby certify that this correspondence is being  
transmitted to the USPTO on this date: 04/22/2009.

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